



WILLIAM T FUJIOKA  
Chief Executive Officer

County of Los Angeles  
**CHIEF EXECUTIVE OFFICE**

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

*"To Enrich Lives Through Effective And Caring Service"*

Board of Supervisors  
GLORIA MOLINA  
First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

January 21, 2014

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

24 January 21, 2014

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:  
MARINA DEL REY PARKING LOTS 5 AND 7 STORMWATER  
BEST MANAGEMENT PRACTICES PROJECT  
UNINCORPORATED LOS ANGELES COUNTY  
APPROVE REVISED PROJECT BUDGET  
APPROVE APPROPRIATION ADJUSTMENT  
AWARD CONSTRUCTION CONTRACT  
SPECS. 7220; CAPITAL PROJECT NO. 87155  
(FOURTH DISTRICT)  
(3 VOTES)**

**SUBJECT**

The recommended actions will approve the revised Project budget, an appropriation adjustment, and the award of a construction contract for construction of the Marina del Rey Parking Lots 5 and 7 Stormwater Best Management Practices Project.

**IT IS RECOMMENDED THAT THE BOARD:**

Approve the revised total Project budget of \$970,000 for the Marina del Rey Parking Lots 5 and 7 Stormwater Best Management Practices Project, Capital Project No. 87155.

Approve the appropriation adjustment to transfer \$41,000 in net County cost Allocated for Unincorporated Areas from the Unincorporated Area Stormwater Quality Improvements, Capital Project No. 87195, to the Marina del Rey Parking Lots 5 and 7 Stormwater Best Management Practices Project, Capital Project No. 87155.

Find that Bali Construction, Inc., is the apparent Lowest Responsive and Responsible Bidder for

construction of the Marina del Rey Parking Lots 5 and 7 Stormwater Best Management Practices Project, and award a construction contract for \$498,500 subject to Bali Construction, Inc.'s, timely submittal to the County of a satisfactory baseline construction schedule, submittal list, acceptable Faithful Performance and Payment for Labor and Material Bonds, and evidence of required contractor insurances.

Delegate to the Director of Public Works, or her designee, the authority to determine, in accordance with the applicable contract and bid specifications, whether the contractor has satisfied the conditions for contract award; and subject to such determination, authorize the Director of Public Works, or her designee, to execute the construction contract, in the form previously approved as to form by County Counsel, with Bali Construction, Inc.; and to establish the effective date of the construction contract.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will allow the Department of Public Works to proceed with the construction of the Marina del Rey Parking Lots 5 and 7 Stormwater Best Management Practices Project (Project). The Project is located in the unincorporated County of Los Angeles community of Marina del Rey. The Project will include the installation of bioretention systems and new landscaping at the Marina del Rey Parking Lots 5 and 7, which will improve the quality of stormwater runoff tributary to these parking lots.

The proposed improvements will assist in the County's compliance with the Marina del Rey Harbor Mother's Beach and Back Basins Bacterial Total Maximum Daily Load (TMDL) and the Toxic Pollutants TMDL. The bioretention units consist of various subterranean chambers that will collect, filter, and discharge treated stormwater runoff from the parking lots. In addition, the irrigation system that serves the parking lots' landscaped areas will be modified to improve efficiency in water consumption along with the planting of drought-tolerant species. The new landscaping will assist in clarifying the water in the bioretention system before it enters the marina or percolates into the ground. Site work, including, but not limited to, minor grading, trenching, removal, and replacement of three unhealthy trees will be necessary for installation of this Project.

On December 18, 2012, the Board established the Project, and approved the Project budget and appropriation adjustment for the Project. On October 8, 2013, the Board approved the Project, adopted the plans and specifications, and instructed the Executive Officer of the Board to advertise for construction bids. On November 5, 2013, four bids were received. Bali Construction, Inc., was found to be the apparent Lowest Responsive and Responsible Bidder with a lump sum base bid of \$500,000. Since Bali Construction, Inc.'s base bid is higher than Public Works' fair construction cost estimate of \$465,000, we are returning to the Board to award a construction contract for the Project.

As authorized by the Board on October 8, 2013, a consultant services agreement has been executed with Bali Construction, Inc., to prepare a baseline construction schedule and schedule of values for \$1,500. This amount will be subtracted from Bali Construction, Inc.'s lump sum bid as described in the Instructions to Bidders.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will facilitate the construction of improvements at the Marina del Rey Parking Lots 5 and 7 to improve the effectiveness of the existing system, enhance the water quality of stormwater runoff from these parking lots, and enrich

the lives of the County of Los Angeles residents by improving the wildlife habitat at the marina.

### **FISCAL IMPACT/FINANCING**

On December 18, 2012, the Board approved a total Project budget of \$929,000 for the Project. Upon receipt of the bids, it was determined that the apparent low base bid submitted was \$500,000, which is higher than Public Works' fair construction cost estimate of \$465,000. The revised total Project budget is \$970,000, which includes plans and specifications, plan check, construction, change orders, consultant services, miscellaneous expenditures, and County services. The additional \$41,000 accounts for the increase in the cost of construction and associated change order contingency.

The enclosed appropriation adjustment (Attachment C) will transfer \$41,000 in net County cost allocated for stormwater quality Improvements from the Unincorporated Area Stormwater Quality Improvements Capital Project No. 87195 to the Marina del Rey Parking Lots 5 and 7 Best Management Practices Project, Capital Project No. 87155, to fully fund the Project.

The proposed Project is funded with a Federal Coastal Impact Assistance Program Grant in the amount of \$392,000, and \$578,000 in net County cost allocated for Stormwater Quality Improvement projects.

The revised Project Schedule and Budget Summary are included in Attachment A.

#### **Operating Budget Impact**

The proposed parking lot improvements are anticipated to require ongoing maintenance with an estimated annual cost of \$20,000. The Department of Beaches and Harbors will work with the Chief Executive Office to confirm the appropriate level of maintenance and funding, and will request the ongoing funds in its Fiscal Year 2014-15 Budget request.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The contract will contain terms and conditions supporting the Board's ordinances and policies, including, but not limited to: County Code Chapter 2.200, Child Support Compliance Program; County Code Chapter 2.202, Contractor Responsibility and Debarment; County Code Chapter 2.203, Contractor Employee Jury Service Program; County Code Chapter 2.206, Defaulted Property Tax Reduction Program; Board Policy 5.050, County's Greater Avenues for Independence (GAIN) and General Relief Opportunities for Work (GROW) Programs; Board Policy 5.060, Reporting of Improper Solicitations; Board Policy 5.110, Contract Language to Assist in Placement of Displaced County Workers; and Board Policy 5.135, Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law).

Applicable law, including the State Public Contract Code, requires the County to award a construction contract to the apparent Lowest Responsive and Responsible Bidder, which refers to the firm that: (1) submits the lowest bid price; (2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to have demonstrated the quality, fitness, capacity, experience, and trustworthiness to satisfactorily perform the work required under the bid solicitation.

As part of the contract award to the apparent Lowest Responsive and Responsible Bidder, Bali Construction, Inc., was required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the contractors State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy 5.140, the information reported by the contractor was considered before making a recommendation to award.

Per the Board's Civic Art Policy adopted on December 7, 2004, and revised on December 15, 2009, the proposed Project is exempt from the Civic Art Fund because the work consists of improvements to infrastructure.

### **ENVIRONMENTAL DOCUMENTATION**

On October 8, 2013, the Board found that this Project is exempt from the California Environmental Quality Act (CEQA). On October 9, 2013, a Notice of Exemption was filed with the Registrar-Recorder/County Clerk pursuant to Section 15062 of the CEQA.

### **CONTRACTING PROCESS**

A standard contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

On October 8, 2013, the Board adopted plans and specifications for the Marina del Rey Parking Lots 5 and 7 Stormwater Best Management Practices Project and instructed the Executive Officer of the Board to advertise for construction bids. On November 5, 2013, Public Works received four bids (bid results included in Attachment B). Bali Construction, Inc., was found to be the apparent Lowest Responsive and Responsible Bidder.

As authorized by the Board on October 8, 2013, consultant services agreements for the preparation of baseline construction schedules, submittal list, and schedule of values have been executed with Bali Construction, Inc.

As required by the Board, language has been incorporated into the Project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees that they may be eligible for the Federal Earned Income Credit under the Federal Income Tax Law (Federal Income Tax Law, Internal Revenue Service Notice 1015).

The contract requires the contractor to pay its employees applicable prevailing wages in accordance with the California Labor Code.

Bali Construction, Inc.'s Community Business Enterprise participation data and 3-year contracting history with the County are on file with Public Works.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

There will be no negative impacts on current County services or projects during construction of the Project.

**CONCLUSION**

Please return one adopted copy of this Board letter to the Chief Executive Office, Facilities and Asset Management Division; Civic Arts Commission; Department of Beaches and Harbors; and Department of Public Works, Project Management Division II and Watershed Management Division.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'WTF', followed by a stylized flourish and a horizontal line.

WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:SHK:DJT  
SW:RB:rp

Enclosures

c: Executive Office, Board of Supervisors  
County Counsel  
Arts Commission  
Auditor-Controller  
Beaches and Harbors  
Public Works

January 21, 2014

**ATTACHMENT A**

**DEPARTMENT OF PUBLIC WORKS:  
MARINA DEL REY PARKING LOTS 5 AND 7 STORMWATER  
BEST MANAGEMENT PRACTICES PROJECT  
UNINCORPORATED LOS ANGELES COUNTY  
APPROVE REVISED PROJECT BUDGET  
APPROVE APPROPRIATION ADJUSTMENT  
AWARD CONSTRUCTION CONTRACT  
SPECS. 7220; CAPITAL PROJECT NO. 87155  
(FOURTH DISTRICT)  
(3 VOTES)**

**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Scheduled Completion Date</b>	<b>Revised Completion Schedule</b>
Project Program	01/30/12*	
Design Jurisdictional Approvals Bid and Award	07/31/13* 01/07/14	03/06/14
Construction Substantial Completion Acceptance	07/31/14 10/30/14	10/07/14 12/11/14

\*Indicates completed activity.

## II. PROJECT BUDGET SUMMARY

Budget Category	Project Budget	Budget Adjustment	Revised Project Budget
Land Acquisition	\$ 0	\$ 0	\$ 0
Construction			
Low Bid Construction Contract	\$ 465,000	\$ 35,000	\$ 500,000
Change Orders (15 percent )	\$ 69,050	\$ 6,000	\$ 75,050
<b>Subtotal</b>	<b>\$ 534,050</b>	<b>\$ 41,000</b>	<b>\$575,050</b>
Programming/Development	\$ 0	\$ 0	\$ 0
Plans and Specifications			
Plans and Specifications	\$ 13,000	\$ 0	\$ 13,000
A/E Supplemental Agreements	\$ 6,000	\$ 0	\$ 6,000
<b>Subtotal</b>	<b>\$ 19,000</b>	<b>\$ 0</b>	<b>\$ 19,000</b>
Consultant Services			
Geotechnical/Soils Test	\$ 5,000	\$ 0	\$ 5,000
Material Testing	\$ 5,000	\$ 0	\$ 5,000
Environmental	\$ 75,000	\$ 0	\$ 75,000
<b>Subtotal</b>	<b>\$ 85,000</b>	<b>\$ 0</b>	<b>\$ 85,000</b>
Miscellaneous Expenditures			
Contract Compliance Monitoring	\$ 5,000	\$ 0	\$ 5,000
Printing	\$ 5,000	\$ 0	\$ 5,000
<b>Subtotal</b>	<b>\$ 10,000</b>	<b>\$ 0</b>	<b>\$ 10,000</b>
Jurisdictional Approvals			
Building and Safety Plan Check	\$ 2,000	\$ 0	\$ 2,000
Other (Regulatory Permits)	\$ 17,000	\$ 0	\$ 17,000
<b>Subtotal</b>	<b>\$ 19,000</b>	<b>\$ 0</b>	<b>\$ 19,000</b>
County Services			
Code Compliance and Quality Control Inspections	\$ 45,000	\$ 0	\$ 45,000
Contract Administration	\$ 30,000	\$ 0	\$ 30,000
Project Management	\$ 101,000	\$ 0	\$ 101,000
Project Management Support Services	\$ 10,000	\$ 0	\$ 10,000
Project Technical Support	\$ 19,250	\$ 0	\$ 19,250
Other (WMD, PDD, T/L, DES, etc.)	\$ 28,500	\$ 0	\$ 28,500
Consultant Contract Recovery	\$ 28,200	\$ 0	\$ 28,200
<b>Subtotal</b>	<b>\$ 261,950</b>	<b>\$ 0</b>	<b>\$ 261,950</b>
<b>Total</b>	<b>\$ 929,000</b>	<b>\$ 41,000</b>	<b>\$ 970,000</b>

January 21, 2014

**ATTACHMENT B**

**DEPARTMENT OF PUBLIC WORKS:  
MARINA DEL REY PARKING LOTS 5 AND 7 STORMWATER  
BEST MANAGEMENT PRACTICES PROJECT  
UNINCORPORATED LOS ANGELES COUNTY  
APPROVE APPROPRIATION ADJUSTMENT  
APPROVE REVISED PROJECT BUDGET  
AWARD CONSTRUCTION CONTRACT  
SPECS. 7220; CAPITAL PROJECT NO. 87155  
(FOURTH DISTRICT)  
(3 VOTES)**

**BID OPENING  
MARINA DEL REY PARKING LOTS 5 AND 7  
PROJECT ID NO.:P200001007/WMU0000006  
NOVEMBER 5, 2013  
ESTIMATE: \$465,000**

NO	CONTRACTOR	BASE BID	ADDITIVE ALTERNATE	DAILY OVERHEAD RATE	MULTIPLY BY 30 DAYS	LUMP SUM BID	SMALL BUSINESS PREFERENCE *	FINAL BID RESULT
1	Bali Construction, Inc.	\$500,000	\$5,000	\$500	\$15,000	\$520,000	N	\$520,000
2	Access Pacific	\$544,400	\$2,500	\$100	\$ 3,000	\$549,900	Y	\$524,900
3	Excel Paving Co.	\$530,857	\$2,930	\$200	\$ 6,000	\$539,787	N	\$539,787
4	Rio Jordan Construction	\$819,416	\$10,000	\$650	\$19,500	\$848,916	Y	\$823,916

\*SBE Reduction is \$25,000



PINK

BA FORM 03/13

BOARD OF  
SUPERVISORS  
OFFICIAL COPY

COUNTY OF LOS ANGELES

**REQUEST FOR APPROPRIATION ADJUSTMENT**

DEPARTMENT OF CHIEF EXECUTIVE OFFICE

DEPT'S.  
NO. 060

January 21, 2014

**AUDITOR-CONTROLLER:**

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. PLEASE CONFIRM THE ACCOUNTING ENTRIES AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF EXECUTIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

**ADJUSTMENT REQUESTED AND REASONS THEREFOR****FY 2013-14****3 - VOTES****SOURCES**

VARIOUS CAPITAL PROJECTS  
UA Stormwater Quality Improvements (All)  
A01-CP-6014-65099-87195  
Capital Assets-Building and Improvements \$41,000  
DECREASE APPROPRIATION

**USES**

VARIOUS CAPITAL PROJECTS  
MdR Pkg Lots 5 & 7 Stormwater BMPs (4)  
A01-CP-6014-65099-87155  
Capital Assets-Building and Improvements \$41,000  
INCREASE APPROPRIATION

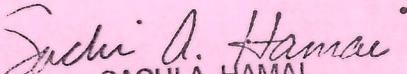
**SOURCES TOTAL: \$ 41,000****USES TOTAL: \$ 41,000****JUSTIFICATION**

The appropriation adjustment is necessary to fully fund the Marina del Rey Parking Lots 5 and 7 Best Management Practices Project, Capital Project No. 87155.

**ADOPTED**  
BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

  
AUTHORIZED SIGNATURE Sabra White, CEO Manager

BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED/REVISED)

  
SACHI A. HAMAI  
EXECUTIVE OFFICER

REFERRED TO THE CHIEF  
EXECUTIVE OFFICER FOR ---☐

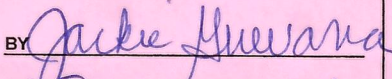
ACTION

☒

RECOMMENDATION

AUDITOR-CONTROLLER

BY

  
8 January 20 14

B.A. NO. 079

☒

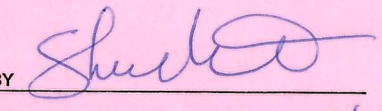
APPROVED AS REQUESTED

☐

APPROVED AS REVISED

CHIEF EXECUTIVE OFFICER

BY

  
January 8 20 14